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**STATE OF IOWA**

# **Senate Journal**

**WEDNESDAY, JANUARY 27, 2021**

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# JOURNAL OF THE SENATE

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SEVENTEENTH CALENDAR DAY  
ELEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, January 27, 2021

The Senate met in regular session at 9:02 a.m., President Chapman presiding.

Prayer was offered by the Honorable Craig Johnson, member of the Senate from Buchanan County, Independence, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Holly Boeke.

The Journal of Tuesday, January 26, 2021, was approved.

## BILL REFERRED TO COMMITTEE

President Chapman announced that [Senate File 159](#) be referred from the Regular Calendar to the committee on **Appropriations** under Senate Rule 38.

## ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:18 a.m. until 9:00 a.m., Thursday, January 28, 2021.

## APPENDIX

### COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### IOWA PUBLIC INFORMATION BOARD

Annual Report, pursuant to Iowa Code section 23.6. Report received on January 26, 2021.

#### TREASURER OF STATE

Linked Investments for Tomorrow Report, pursuant to Iowa Code section 12.38. Report received on January 27, 2021.

### REPORTS OF COMMITTEE MEETINGS

#### JUDICIARY

**Convened:** Tuesday, January 26, 2021, 3:05 p.m.

**Members Present:** Zaun, Chair; Garrett, Vice Chair; Kinney, Ranking Member; Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting.

**Members Absent:** Bisignano (excused).

**Committee Business:** [SSB 1013](#), [SSB 1001](#), [SSB 1012](#), [SF 30](#), [SF 44](#), [SSB 1008](#), [SJR 1](#).

**Adjourned:** 4:15 p.m.

#### VETERANS AFFAIRS

**Convened:** Wednesday, January 27, 2021, 9:55 a.m.

**Members Present:** Carlin, Chair; Reichman, Vice Chair; Giddens, Ranking Member; Costello, Dawson, Dotzler, Edler, Green, Lofgren, Mathis, and Ragan.

**Members Absent:** None.

**Committee Business:** [SF 12](#), [SSB 1044](#), [SSB 1043](#).

**Adjourned:** 10:05 a.m.

## INTRODUCTION OF RESOLUTION

[Senate Joint Resolution 7](#), by committee on Judiciary, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the right of the people to keep and bear arms.

Read first time under Rule 28 and **placed on calendar**.

## INTRODUCTION OF BILLS

[Senate File 170](#), by committee on Judiciary, a bill for an act relating to the crime of disorderly conduct and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 171](#), by committee on Judiciary, a bill for an act relating to sexual misconduct by a peace officer with offenders and juveniles in the peace officer's custody and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 172](#), by committee on Judiciary, a bill for an act relating to the definition of sex act or sexual activity for purposes of the Iowa criminal code.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 173](#), by committee on Judiciary, a bill for an act relating to trusts, including requirements for certifications of trust and the general order of abatement.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 174](#), by committee on Judiciary, a bill for an act relating to the carrying of weapons by certain individuals involved with law enforcement.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 175](#), by Garrett, a bill for an act relating to the use of moneys in the Iowa economic emergency fund, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Appropriations**.

[Senate File 176](#), by Carlin, a bill for an act permitting businesses' new onsite daycare facilities or businesses' expansion of existing onsite daycare facilities to qualify as projects under the high quality jobs program, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 177](#), by Ragan, Mathis, Bolkcom, Jochum, Trone, Garriott, Celsi, Petersen, Boulton, Lykam, Giddens, Bisignano, Hogg, Quirmbach, J. Smith, Dotzler, Wahls, Kinney, and T. Taylor, a bill for an act relating to the state child care assistance eligibility requirements and provider reimbursement rates.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 178](#), by Carlin, a bill for an act relating to continuity of care and nonmedical switching by health carriers, health benefit plans, and utilization review organizations, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 179](#), by Nunn, a bill for an act relating to officer disciplinary actions.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 180](#), by committee on Judiciary, a bill for an act relating to the appointment of a guardian ad litem, a child custody investigator or child and family reporter, or an attorney for certain child custody and visitation matters, and a guardian ad litem for certain child prosecution witnesses.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 181](#), by committee on Veterans Affairs, a bill for an act relating to the home ownership assistance program, and making an appropriation.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 182](#), by committee on Veterans Affairs, a bill for an act relating to the military code and duty performed by a member of the United States coast guard.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 183](#), by committee on State Government, a bill for an act relating to a construction manager-at-risk commercial construction alternative delivery method and prohibiting certain other alternative delivery methods in the public sector and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

#### STUDY BILLS RECEIVED

##### [SSB 1098](#)      **Veterans Affairs**

Relating to the national guard of the state concerning armory board leases, persons subject to the code of military justice, criminal justice reporting, and scholarship and loan repayment programs.

##### [SSB 1099](#)      **Labor and Business Relations**

Relating to the nonvoting membership of the Iowa workforce development board.

**SSB 1100**      **Judiciary**

Relating to the requirements for a sex offender to be granted a modification of sex offender registry requirements.

**SSB 1101**      **Judiciary**

Concerning jurors, relating to access to certain department of revenue taxpayer information for jury list compilation and juror information confidentiality, and including effective date provisions.

**SSB 1102**      **Judiciary**

Relating to authorized access to certain confidential records by employees of the department of corrections, a judicial district department of correctional services, and the board of parole.

**SSB 1103**      **Judiciary**

Relating to annual salary rates for justices, judges, and magistrates.

**SSB 1104**      **Judiciary**

Relating to crime victims, including the collection of evidence in sexual abuse cases and the establishment of an automated tracking system involving sexual abuse evidence collection kits.

**SSB 1105**      **Judiciary**

Relating to the penalty for public employees and public officials taking money from a public employer.

**SSB 1106**      **Judiciary**

Relating to the confidentiality of certain law enforcement reports, records, and information under Iowa's open records law.

**SSB 1107**      **Judiciary**

Relating to court reporters, including the reporting of adoption hearings and uncertified shorthand reporter appointments.

**SSB 1108**      **Judiciary**

Relating to interpreters and translators for limited-English-proficient, deaf, and hard-of-hearing persons in certain legal proceedings, making appropriations, and including effective date provisions.

**SSB 1109**      **Judiciary**

Relating to the placement of a child in detention.

**SSB 1110**      **Judiciary**

Relating to controlled substances and precursor substances, including amending the controlled substance and precursor substances schedules and including effective date provisions.

**SSB 1111**      **State Government**

Relating to the practice of pharmacy, and providing for a repeal.

**SSB 1112**      **State Government**

Relating to disciplinary hearings conducted by professional licensing boards.

**SSB 1113**      **State Government**

Relating to the sale or lease of real estate by regulatory agency officials and employees to persons subject to the agency's regulatory authority, and making penalties applicable.

**SSB 1114**      **State Government**

Relating to the definition of meeting and public notice requirements under the open meetings law.

**[SSB 1115](#) State Government**

Prohibiting payment of workers' compensation benefits to alien dependents designated as terrorists pursuant to federal law or subject to federal arrest warrants.

**[SSB 1116](#) State Government**

Relating to filing complaints with the Iowa public information board.

**[SSB 1117](#) State Government**

Relating to the qualifications necessary for an applicant for licensure as a professional engineer.

**[SSB 1118](#) State Government**

Relating to matters under the purview of the Iowa lottery authority, and providing criminal penalties.

**[SSB 1119](#) State Government**

Relating to approval of executive branch employee travel claims.

**[SSB 1120](#) State Government**

Relating to reporting requirements concerning the department of administrative services.

**[SSB 1121](#) Agriculture**

Relating to the powers and duties of the department of agriculture and land stewardship, including by providing for administration, programs, and regulations, providing fees, providing penalties, and making penalties applicable.

## SUBCOMMITTEE ASSIGNMENTS

[Senate File 101](#)

TRANSPORTATION: Shipley, Chair; Koelker and Lykam

[Senate File 102](#)

TRANSPORTATION: Shipley, Chair; Klimesh and T. Taylor

[Senate File 117](#)

EDUCATION: Cournoyer, Chair; Kraayenbrink and J. Smith

[Senate File 127](#)

EDUCATION: Carlin, Chair; Celsi and Zaun

[Senate File 128](#)

EDUCATION: Carlin, Chair; Celsi and Zaun

[Senate File 131](#)

EDUCATION: Sinclair, Chair; Quirmbach and Rozenboom

[Senate File 132](#)

EDUCATION: Sinclair, Chair; Quirmbach and Rozenboom

[Senate File 142](#)

STATE GOVERNMENT: Whiting, Chair; Boulton and Schultz

[Senate File 143](#)

STATE GOVERNMENT: Cournoyer, Chair; Celsi and Koelker

[Senate File 144](#)

STATE GOVERNMENT: Johnson, Chair; Boulton and Whiting

[Senate File 145](#)

STATE GOVERNMENT: Whiting, Chair; Jochum and Schultz

[Senate File 147](#)

HUMAN RESOURCES: Costello, Chair; Green and Trone Garriott

[Senate File 148](#)

EDUCATION: Sinclair, Chair; Giddens and Rozenboom

[Senate File 152](#)

STATE GOVERNMENT: Schultz, Chair; Bisignano and Guth

[Senate File 153](#)

HUMAN RESOURCES: Costello, Chair; Carlin and Ragan

[Senate File 154](#)

HUMAN RESOURCES: Costello, Chair; Edler and Mathis

[Senate File 156](#)

EDUCATION: Sweeney, Chair; Kraayenbrink and J. Smith

[Senate File 157](#)

HUMAN RESOURCES: Costello, Chair; Bolkcom and Garrett

[Senate File 158](#)

TRANSPORTATION: Zumbach, Chair; Bisignano and Rozenboom

[Senate File 161](#)

HUMAN RESOURCES: Costello, Chair; Carlin and Jochum

[Senate File 162](#)

WAYS AND MEANS: Schultz, Chair; Quirmbach and Sinclair

[Senate File 167](#)

EDUCATION: Carlin, Chair; Celsi and Rozenboom

[Senate File 168](#)

EDUCATION: Cournoyer, Chair; Giddens and Johnson

[SSB 1098](#)

VETERANS AFFAIRS: Lofgren, Chair; Giddens and Reichman

[SSB 1099](#)

LABOR AND BUSINESS RELATIONS: Driscoll, Chair; Dotzler and Green

[SSB 1100](#)

JUDICIARY: Johnson, Chair; Bolkcom and Shipley

[SSB 1101](#)

JUDICIARY: Whiting, Chair; Boulton and J. Taylor

[SSB 1102](#)

JUDICIARY: Shipley, Chair; Bisignano and Reichman

[SSB 1103](#)

JUDICIARY: Dawson, Chair; Bisignano and Garrett

[SSB 1104](#)

JUDICIARY: Whiting, Chair; Petersen and Reichman

[SSB 1105](#)

JUDICIARY: Schultz, Chair; Bisignano and Sinclair

[SSB 1106](#)

JUDICIARY: Shipley, Chair; Kinney and J. Taylor

[SSB 1107](#)

JUDICIARY: Johnson, Chair; Boulton and Garrett

[SSB 1108](#)

JUDICIARY: Garrett, Chair; Bolkcom and J. Taylor

[SSB 1109](#)

JUDICIARY: Whiting, Chair; Petersen and Schultz

[SSB 1110](#)

JUDICIARY: Johnson, Chair; Bolkcom and Reichman

[SSB 1111](#)

STATE GOVERNMENT: Koelker, Chair; Bisignano and Cournoyer

[SSB 1112](#)

STATE GOVERNMENT: Johnson, Chair; Celsi and Reichman

[SSB 1113](#)

STATE GOVERNMENT: R. Smith, Chair; Cournoyer and Giddens

[SSB 1114](#)

STATE GOVERNMENT: Guth, Chair; Jochum and Johnson

[SSB 1115](#)

STATE GOVERNMENT: Cournoyer, Chair; Bisignano and Koelker

[SSB 1116](#)

STATE GOVERNMENT: Cournoyer, Chair; Boulton and Guth

[SSB 1117](#)

STATE GOVERNMENT: Goodwin, Chair; Giddens and Koelker

[SSB 1118](#)

STATE GOVERNMENT: Dawson, Chair; Bisignano and R. Smith

[SSB 1119](#)

STATE GOVERNMENT: Johnson, Chair; Celsi and Whiting

[SSB 1120](#)

STATE GOVERNMENT: Johnson, Chair; Celsi and Whiting

[SSB 1121](#)

AGRICULTURE: Zumbach, Chair; Kinney and Rozenboom

## FINAL COMMITTEE REPORTS OF BILL ACTION

### APPROPRIATIONS

**Bill Title:** [SENATE FILE 159](#), a bill for an act relating to educational offerings and funding by establishing a student first scholarship program for certain pupils attending nonpublic schools, establishing a student first scholarship fund, providing an income tax exemption, modifying and establishing charter school programs, modifying provisions governing the state's open enrollment law including voluntary diversity plans, modifying the tuition and textbook tax credit, providing for the educator expense deduction, modifying provisions related to education data collection and permissible education programs and funding, making appropriations, providing penalties, and including effective date, applicability, and retroactive applicability provisions.

**Recommendation:** DO PASS.

**Final Vote:** Yeas, 13: Kraayenbrink, Lofgren, Costello, Cournoyer, Edler, Garrett, Guth, Johnson, Klimesh, Koelker, Reichman, Rozenboom, and Williams. Nays, 8: Bolkcom, Celsi, Dotzler, Mathis, Petersen, Ragan, J. Smith, and T. Taylor. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## JUDICIARY

**Bill Title:** [SENATE JOINT RESOLUTION 7](#) (formerly [SJR 1](#)), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the right of the people to keep and bear arms.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 10: Zaun, Garrett, Dawson, Johnson, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting. Nays, 4: Kinney, Bolkcom, Boulton, and Petersen. Absent, 1: Bisignano.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## ALSO:

**Bill Title:** [SENATE FILE 170 \(SSB 1001\)](#), a bill for an act relating to the crime of disorderly conduct and making penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: Zaun, Garrett, Kinney, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting. Nays, none. Absent, 1: Bisignano.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## ALSO:

**Bill Title:** [SENATE FILE 171](#) (formerly [SF 44](#)), a bill for an act relating to sexual misconduct by a peace officer with offenders and juveniles in the peace officer's custody and providing penalties.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: Zaun, Garrett, Kinney, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting. Nays, none. Absent, 1: Bisignano.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## ALSO:

**Bill Title:** [SENATE FILE 172 \(SSB 1013\)](#), a bill for an act relating to the definition of sex act or sexual activity for purposes of the Iowa criminal code.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: Zaun, Garrett, Kinney, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting. Nays, none. Absent, 1: Bisignano.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 173 \(SSB 1012\)](#), a bill for an act relating to trusts, including requirements for certifications of trust and the general order of abatement.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: Zaun, Garrett, Kinney, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting. Nays, none. Absent, 1: Bisignano.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 174](#) (formerly [SF 30](#)), a bill for an act relating to the carrying of weapons by certain individuals involved with law enforcement.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: Zaun, Garrett, Kinney, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting. Nays, none. Absent, 1: Bisignano.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [\\*SENATE FILE 180 \(SSB 1008\)](#), a bill for an act relating to the appointment of a guardian ad litem, a child custody investigator or child and family reporter, or an attorney for certain child custody and visitation matters, and a guardian ad litem for certain child prosecution witnesses.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: Zaun, Garrett, Kinney, Bolkcom, Boulton, Dawson, Johnson, Petersen, Reichman, Schultz, Shipley, Sinclair, J. Taylor, and Whiting. Nays, none. Absent, 1: Bisignano.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 180](#), and they were attached to the committee report.

#### STATE GOVERNMENT

**Bill Title:** [SENATE FILE 183 \(SSB 1018\)](#), a bill for an act relating to a construction manager-at-risk commercial construction alternative delivery method and prohibiting certain other alternative delivery methods in the public sector and including effective date and applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 10: R. Smith, Cournoyer, Dawson, Goodwin, Guth, Johnson, Koelker, Reichman, Schultz, and Whiting. Nays, 5: Bisignano, Boulton, Celsi, Giddens, and Jochum. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### VETERANS AFFAIRS

**Bill Title:** [SENATE FILE 12](#), a bill for an act relating to approval procedures for claims for the military service property tax exemption and including applicability provisions.

**Recommendation:** DO PASS.

**Final Vote:** Yeas, 11: Carlin, Reichman, Giddens, Costello, Dawson, Dotzler, Edler, Green, Lofgren, Mathis, and Ragan. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### ALSO:

**Bill Title:** [SENATE FILE 181 \(SSB 1044\)](#), a bill for an act relating to the home ownership assistance program, and making an appropriation.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 11: Carlin, Reichman, Giddens, Costello, Dawson, Dotzler, Edler, Green, Lofgren, Mathis, and Ragan. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### ALSO:

**Bill Title:** [SENATE FILE 182 \(SSB 1043\)](#), a bill for an act relating to the military code and duty performed by a member of the United States coast guard.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 11: Carlin, Reichman, Giddens, Costello, Dawson, Dotzler, Edler, Green, Lofgren, Mathis, and Ragan. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.